IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

Writ Petition No. 3145 of 2007
(Damodhar Nathmal Sharma and anr. vs. The Sub-Divisional Officer, Malkapur & Ors.)

=-

Office Notes, Memoranda of Coram, appearances, Court's orders or directions	:	Court's or Judge's orders and Registrar's orders.

-=-

CORAM : D.D.Sinha and
Smt. Vasanti A. Naik, JJ.

DATE : November 20, 2007.

Heard Mr. U.S.Dastane, Adv. for the Petitioners, Mr.Deopujari, Assistant Government Pleader for the Respondent Nos. 1 and 2 and Mr.P.B.Patil, Adv. for the Respondent No.4.

Counsel for the petitioners state that, in the present Writ Petition, the petitioner is challenging validity of notification dt. 17.2.2007 as well as auction which had taken place on 5.3.2007. Counsel for the petitioners states that, in view of alternate remedy available to the petitioners against the sale/auction of movable and immovable property under the Maharashtra Land Revenue Code, 1966, the petitioners be permitted to withdraw the Writ Petition in order to exhaust alternate remedy available in law.

Learned counsel for the petitioners further prayed that the order of status quo granted by this Court vide order dt. 19.7.2007 may kindly be continued for a further period of fifteen days. Mr.P.B.Patil, learned counsel for the respondent no.4 has objected for continuation

of status quo order since the respondent no.4 has already paid the total consideration/auction amount.

Be that as it may, in the backdrop of the above referred facts, we dispose of present Writ Petition as 'withdrawn' with liberty, as prayed for if otherwise available in law.

In the interest of justice, the order of status quo granted by this Court dt. 19.7.2007 shall continue to operate for a further period of two weeks from today and shall cease to operate thereafter automatically without reference to the Court.

Copy of this order duly authenticated by the Shirestedar of this Court be supplied to the parties on payment of usual copying charges.

JUDGE JUDGE

ssj